

AUCTIONEERS BOARD MEETING

MINUTES

The Virginia Auctioneers Board met on July 17, 2008, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

William C. Bryant, III
Mark T. Motley
Erlita Joanne Wang

Board member Amy Pence was not present for the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
Kathleen R. Nosbisch, Executive Director
Marian H. Brooks, Board Administrator
Michelle Gowen, Administrative Assistant
Earlyne Perkins, Legal Analyst

Elizabeth Peay, Assistant Attorney General, was present at the meeting.

Finding a quorum of the Board present, Mr. Motley, Chair, called the meeting to order at 10:00 a.m.

Call to Order

Mr. Bryant moved to approve the agenda. Ms. Wang seconded the motion which was unanimously approved by members: Bryant, Motley, and Wang.

Approval of Agenda

Mr. Courtney introduced Kathleen “Kate” R. Nosbisch, as the new Executive Director of the Auctioneers Board.

Introduction of Executive Director

Mr. Bryant moved to approve the minutes from the following meetings:

Approval of Minutes

April 17, 2008, Auctioneers Board meeting.

Ms. Wang seconded the motion which was unanimously approved by members: Bryant, Motley, and Wang.

Public Comment Period – There were no comments made to the Board.

Public Comment

The Board members reconsidered File Numbers 2007-02784, Calvin Zedd; and 2007-03360, Zedd Auctioneers, LTD. Per an agreement made

Reconsideration of Board Orders 2007-

between Mr. Zedd and Board counsel, the Board would not render decisions in the above noted Files if Mr. Zedd surrendered both his individual license, #2905-000556, and his firm license, #2906-000306, prior to the April 17th Board meeting. The Department received Mr. Zedd's letter surrendering both licenses on April 14th; however, the letter was not seen by Board staff until after the April 17th Board meeting. Therefore, pursuant to the agreement between Mr. Zedd and Board counsel, Ms. Wang moved to vacate the Orders resulting from File Numbers 2007-02784 and 2007-03360. Mr. Bryant seconded the motion which was unanimously approved by members: Bryant, Motley, and Wang.

**02784, Calvin Zedd;
and 2007-03360, Zedd
Auctioneers, LTD.**

The Board members reviewed a letter from Frank MaGann at VCPM Auctions, LLC, requesting a Board determination of regulation 18 VAC 25-21-150. After review and discussion, the Board members requested that staff prepare a draft to amend Board regulation 18 VAC 25-21-150 for a fast track regulation change, which the Board will review at their next Board meeting. The Board requested staff to prepare correspondence to Mr. MaGann notifying him of the Board's action.

**Discussion of 18 VAC
25-21-150**

Ms. Brooks stated that Board member appointments have not been made at this time and the Board may wish to defer election of officers until their October 16th Board meeting. Mr. Bryant moved to postpone election of officers until the October 16th Board meeting. Ms. Wang seconded the motion which was unanimously approved by members: Bryant, Motley, and Wang.

Election of Officers

The Board members were provided with a comprehensive report of enforcement activity.

**Comprehensive
Report of Compliance
and Investigations
Division Activity**

The Board members were provided with the May 2008 financial statements for informational purposes.

**Review Financial
Statements**

The Board members were provided with an article for review on the decline in auctions on eBay.

Other Business

The Board members reviewed a letter received from Virginia Auctioneers Association (VAA) requesting that the Board consider a different approach as to approved continuing education from states with which the Board has reciprocity. After review and discussion, Mr. Motley requested that staff review the laws pertaining to continuing education for states with which Virginia has reciprocity to be reviewed at the October 16th meeting. In addition, the Board requested staff to prepare correspondence to VAA informing them of the Board is looking into their request.

Ms. Brooks reminded the Board members that the dates for the 2009 meetings will be set at their next meeting on October 16th.

Mr. Courtney stated that on August 2, 2008, he and Ms. Brooks would be attending the VAA Mid-Year meeting in Richmond

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:52 a.m.

Adjourn

Mark T. Motley, Chair

Jay W. DeBoer, Secretary